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May 21, 2015

VIA ECF

Hon. Ronnie Abrams
United States District Court
Southern District of New York
500 Pearl Street, Room 620
New York, NY 10007

Re: *Ludizaca et al v. GFB Restaurant Corp. et al.*
Case No. 13-cv-9180(RA)(MHD)

Dear Judge Abrams:

As we previously advised the Court, the parties have reached a settlement agreement in principle. However, despite earlier requests, the defendants only provided a draft agreement to plaintiffs this evening at 4:50 pm, which does not permit plaintiffs adequate time to review it, request necessary revisions, and secure agreement from each of the named and opt-in plaintiffs. In addition, I am the attorney handling this matter for my firm and I will be out of the office tomorrow for the holiday weekend, as I previously advised defendants' counsel. Immediately upon receiving the draft settlement agreement, I contacted Mr. Brochin to request his consent to an extension and a conference with the Court, but have not heard back from him. Plaintiffs therefore respectfully request a two-week extension of the deadline for the plaintiffs to file their motion for certification of a Rule 23 class from May 22, 2015 to June 5, 2015.

The parties additionally have been unable to agree concerning one or more terms of settlement, and plaintiffs believe that the Court's assistance would be helpful in resolving the issues. Plaintiffs respectfully request a conference with Your Honor or Magistrate Judge Dollinger, as appropriate, to attempt to resolve these issues.

The additional time and conference will enable the parties to finalize and execute a settlement agreement. Thank you for your consideration.

Respectfully submitted,
/s/
Molly Smithsimon
Counsel for Plaintiffs

cc: Gregg Brochin, counsel for defendants, via ECF